

NOTICE OF RULE ADOPTION—FINAL RULE

STATE OF MISSISSIPPI
OFFICE OF THE GOVERNOR
DIVISION OF MEDICAID

FILED
MAR 12 2010
MISSISSIPPI
SECRETARY OF STATE

Miss. Division of Medicaid
c/o Ginnie McCardle, Staff Officer
Walter Sillers Building
550 High Street
Suite 1000
Jackson, MS 39201-1399
(601) 359-6310
<http://www.medicaid.ms.gov>

Specific Legal Authority Authorizing the promulgation of
Rule: Miss Code Ann. §43-13-121(1972), as amended

Reference to Rules repealed, amended or suspended by the
Proposed Rule :
Provider Policy Manual 7.08

Date Rule Proposed: February 11, 2010

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule:

AP2010-01 This administrative policy filing is being submitted to add a new subject titled "Administrative Hearings for Beneficiaries" to Medicaid's General Policy found in Provider Policy Manual Section 7.0. This new section outlines Medicaid's policy for requesting a hearing in order to appeal decisions of denial, termination, suspension or reduction of Medicaid covered services. There was an oral proceeding held on March 5, 2010. Due to comments made at the oral proceeding, this final policy filing reflects changes regarding telephonic hearings..

The Agency Rule Making Record for this rule including any written comments received during the comment period and the record of any oral proceeding is available for public inspection by contacting the Agency at the above address.

☒ An oral proceeding was held on this rule:

Date: March 5, 2010

Time: 9:00 a.m. - 12:00 p.m.

Place: War Memorial Building
120 North State St., Jackson, MS 39201

☐ An oral proceeding was not held on this rule.

The Agency has considered the written comments and the presentations made in any oral proceedings, and

☐ This rule as adopted is without variance from the proposed rule.

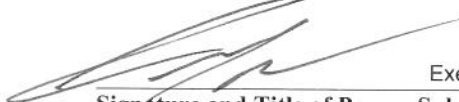
☐ This rule as adopted differs from the proposed rule as there are minor editorial changes which affect the form rather than the substance of the rule.

☒ The rule as adopted differs from the proposed rule. The differences however are:

Within the scope of the matters in the Notice of Proposed Rule Adoption, the logical outgrowth of the contents of the Notice of Proposed Rule Adoption and the comments submitted in response thereto, and
The Notice of Proposed Rule Adoption provided fair warning that the outcome of the proposed rule adoption could be the rule in question.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Effective Date of Rule: May 1, 2010



Executive Director

Signature and Title of Person Submitting Rule for Filing